



Postsecondary Institutions Employment of Retired Police Officers

Background

In 2019, the General Assembly passed [House Bill 381](#) establishing new exceptions for participating postsecondary institutions that reemploy retired police officers. [Kentucky Revised Statutes 164.950 to 164.980](#) outlines these exceptions. Effective June 27, 2019, a participating postsecondary institution may be exempt from paying employer contributions and insurance reimbursements normally due on retired members provided that the postsecondary institution has completed and submitted the required forms and the retired officer meets the following criteria:

- The officer participated in the Law Enforcement Foundation Program fund under [Kentucky Revised Statute 15.420](#), or retired as a commissioned officer pursuant to [Kentucky Revised Statute Chapter 16](#), or retired as a police officer from a postsecondary institution;
- The officer retired from KERS, CERS, or SPRS with at least 20 years of service credit;
- The officer retired with no administrative charges pending; and
- The officer has met the reemployment requirements found in [Kentucky Revised Statute 61.637](#). ([Read more about the reemployment requirements for retired members](#)); and
- The retired officer is accepting a position as a police officer with a postsecondary institution for a term not to exceed one year.

The retired officer may continue to receive Kentucky Retirement Systems (KRS) retirement and insurance benefits, unless otherwise prohibited by law, but will not pay into a second retirement account.

Review and Approval Process

It is important to note that this process has two components: (1) employer reporting requirements and (2) retired member requirements. For employers to qualify for the exceptions described above, all qualification requirements must be satisfied.

How to Qualify

Employers may be required to submit four (4) forms before the retired officer can be reemployed and qualify for the exceptions described above. The required forms, detailed below, are available on our website and in Employer Self Service.

1. Form 6776 must be completed by the postsecondary institution and submitted with the Detailed Listing of Police Officers Employed for Calendar Year 2018.

Pursuant to [Kentucky Revised Statute 164.950 to 164.980](#), prior to hiring a retired police officer, postsecondary institutions must disclose the number of police officers it employed in calendar year 2018. This determines the number of retired police officers that may be hired prospectively. The number of police officers employed by the postsecondary institution may be the greater of:

- A limit of five (5) retired officers; or



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- A number equal to 25% of the police officers employed by the postsecondary institution in calendar year 2018.

Upon receipt, KRS will review the Form 6776 and the requesting postsecondary institution will receive notification confirming the number of police officers that can be hired under these provisions.

2. [Form 6768](#) must be completed by the postsecondary institution and submitted to KRS with:

- A notarized statement indicating there are no pending administrative charges from the agency the officer retired from; and
- For retired police officers of KERS and CERS, a certification of participation from the Kentucky Department of Criminal Justice Training, stating the member participated in the KLEFPF; or
- For retired officers of SPRS, certification from the Kentucky State Police that the individual retired as a commissioned officer pursuant to [Kentucky Revised Statute Chapter 16](#); or
- Certification that the officer retired from a postsecondary institution.

In addition, if the reemployment occurs within twelve (12) months from the officer's retirement date, the following forms are required to be submitted before the retired officer can be reemployed and qualify for the exceptions:

3. [Form 6751](#) must be completed by the postsecondary institution and submitted to KRS.

4. [Form 6754](#) must be completed by the retired member. The retired member must receive a determination from KRS indicating that the reemployment does not violate the reemployment law established in [Kentucky Revised Statute 61.637](#). If the retired member does not receive this determination, the employer does not qualify for the reporting exceptions.

Processing Forms

Upon receipt of the [Form 6768](#) and supporting documentation, all submissions are reviewed, and the requesting postsecondary institution will receive notification as to whether the employee satisfies the legal requirements. Once approved, the postsecondary institution may hire the retired officer and omit that employee from the monthly report.

If the employee does not meet these requirements, the postsecondary institution may still hire the retiree. If the retiree meets the definition of regular full-time pursuant to [Kentucky Revised Statute 61.510\(21\)](#), the employee must be reported each month to KRS as Retired/Reemployed and the employing postsecondary institution is responsible for paying employer contributions and any required insurance reimbursements.

Recertification

KRS requires the employer to recertify the position annually to continue to qualify for the reporting



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exceptions. [Form 6774](#) must be submitted to KRS before the retired officer currently employed by the postsecondary institution can be recertified to qualify for the exceptions described above.

The retired member is not required to complete a new [Form 6754](#) when continuing to work for the same employer. Upon receipt of the [Form 6768](#), KRS will review all documentation and the requesting postsecondary institution will receive notification whether the employee satisfies the legal requirements to continue to qualify for these exceptions.